

IC 4-4-3.6

Chapter 3.6. Tourism Marketing Fund

IC 4-4-3.6-1

Definitions

Sec. 1. As used in this chapter:

"Director" refers to the director of the department of commerce.

"Fund" means the tourism marketing fund established by this chapter.

"Marketing" means the sale, gift, or other transfer of special items or other items in accordance with the provisions of this chapter.

"Person" means any individual, corporation, limited liability company, partnership, firm, association, public or private agency, or other organization.

"Promotion" means the planning and conducting of information and advertising campaigns.

"Special item" means an item or work containing a logo, design, trademark, patentable material, or copyrightable material owned by the state of Indiana or any agency, instrumentality, or public officer thereof, and which item or work relates in any way to any of the powers, duties, or functions of the director of the department of commerce.

"Trademark" means any trademark granted by either the United States or any state thereof.

As added by P.L.22-1983, SEC.1. Amended by P.L.8-1993, SEC.12.

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Creation; powers and duties of director

Sec. 2. (a) The tourism marketing fund is established. Money in the fund does not revert to the general fund of the state at the end of a fiscal year, but shall constitute a revolving fund to be used exclusively for the purposes of this chapter. However, if the fund is abolished, its contents shall revert to the general fund of the state.

(b) The director may market special items in any manner, with the proceeds to be deposited in the fund. The treasurer of state shall invest money not needed to meet current obligations in the same manner as other public funds may be invested. Interest which accrues from these investments shall be credited to the tourism marketing fund.

(c) The director may receive and accept to be deposited in the fund, grants, gifts, and contributions from any and all public and private sources whatsoever, in addition to money received from the marketing of special items or other items in accordance with this chapter.

(d) The administrative control of the fund and the responsibility for the administration of this chapter are vested in the director. The director, subject to approval by the state budget agency, may employ personnel as necessary for the marketing of special items and other items, as well as for the efficient administration of this chapter. The director may also grant exclusive or nonexclusive licenses to any

person with respect to the performance of any marketing duties or powers under this chapter.

(e) The director may make and execute contracts and all other instruments necessary or convenient for the performance of his duties and the exercise of his powers and functions under this chapter.

As added by P.L.22-1983, SEC.1.

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Use of money

Sec. 3. The director may use the money in the fund for future marketing of special items or other items in accordance with this chapter, or for the promotion and development of tourism in the state.

As added by P.L.22-1983, SEC.1.

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Consent to market special items

Sec. 4. No person may market special items without the written consent of the director, and the director may require royalty payments from such a person prior to giving his consent. Money from all royalty payments shall be deposited in the fund.

As added by P.L.22-1983, SEC.1.

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Marketing special items by director

Sec. 5. The director may begin marketing special items together with other items on or within land or facilities owned or leased by the state, with the cooperation of the state agency, board, or commission in control of the land or facilities.

As added by P.L.22-1983, SEC.1.

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Tax exemption

Sec. 6. The director and every agency, board, and commission of the state are exempt from all taxes imposed by the state, except the state gross retail tax (IC 6-2.5-2), arising out of the marketing of special items and other items in accordance with this chapter. However, this section does not exempt any other person from any applicable tax on his income or business insofar as that person is involved in the marketing of special items or other items in accordance with this chapter.

As added by P.L.22-1983, SEC.1.